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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

\*E-FILED - 5/4/07\*

UNITED STATES OF AMERICA,	)	No. CR 07-00058 RMW
	)	
Plaintiff,	)	
	)	STIPULATION AND []
v.	)	ORDER EXCLUDING TIME
	)	
MATTHEW KEI ENDO,	)	
	)	
Defendant.	)	SAN JOSE VENUE
	)	

On April 30, 2007, the undersigned parties appeared before the Court for a status hearing. At the hearing, Assistant Federal Public Defender Nick Humy explained he had an opportunity to review the digital evidence with Assistant United States Attorney Susan Knight and the case agent, and that the parties needed additional time to discuss a potential resolution to the case. The parties then requested that the case be continued to June 25, 2007 for either a change of plea hearing or to set a motions schedule. In addition, the parties requested an exclusion of time under the Speedy Trial Act from April 30, 2007 until June 25, 2007. The parties agree and stipulate that an exclusion of time is appropriate based on the defendant's need for effective preparation of counsel.

1 SO STIPULATED:

SCOTT N. SCHOOLS  
United States Attorney

2  
3 DATED:

/s/  
SUSAN KNIGHT  
Assistant United States Attorney

4  
5 DATED:

/s/  
NICK HUMY  
Assistant Federal Public Defender

6  
7  
8 The Court HEREBY ORDERS that time be excluded under the Speedy Trial Act from  
9 April 30, 2007 until June 25, 2007. The Court finds, based on the aforementioned reasons, that  
10 the ends of justice served by granting the requested continuance outweigh the best interest of the  
11 public and the defendant in a speedy trial. The failure to grant the requested continuance would  
12 deny defense counsel reasonable time necessary for effective preparation, taking into account the  
13 exercise of due diligence, and would result in a miscarriage of justice. The Court therefore  
14 concludes that this exclusion of time should be made under 18 U.S.C. §§ 3161(h)(8)(A) and  
15 (B)(iv).

16 SO ORDERED.

17  
18 DATED: 5/4/07

*Ronald M. Whyte*  
RONALD M. WHYTE  
United States District Judge